

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DONNA FOSTER,

Plaintiff,

CASE NO. 16-CV-13306

HON. GEORGE CARAM STEEH

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

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**ORDER ACCEPTING REPORT AND
RECOMMENDATION (Doc. 15) AND DISMISSING CASE**

Pro se plaintiff Donna Foster filed suit seeking an award of Social Security disability benefits. The matter was referred to Magistrate Judge Steven Whalen for a report and recommendation pursuant to 28 U.S.C. § 636(b)(1)(B). Magistrate Judge Whalen has now issued his report and recommendation and recommends that this case be dismissed for plaintiff's failure to exhaust her administrative remedies under 42 U.S.C. § 405(g). Plaintiff filed a letter with the court on May 15, 2017, which this court has construed as her objections to the report and recommendation, and which the court has duly considered. Plaintiff has not demonstrated that she exhausted her administrative remedies.

Accordingly, the court ACCEPTS the report and recommendation (Doc. 15) and DISMISSES the Complaint. Plaintiff may reapply for benefits at the administrative level.

IT IS SO ORDERED.

Dated: June 2, 2017

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on June 2, 2017, by electronic and/or ordinary mail and also on Donna Foster, 310 S. Harrison, Apt 705 Saginaw, MI 48602.

s/Barbara Radke
Deputy Clerk